

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROOT, INC., *et al.*,

Plaintiffs,

v.

BRINSON CALEB SILVER, *et al.*,

Defendants.

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Case No. 2:23-cv-512

Judge Sarah D. Morrison

Magistrate Judge Elizabeth Preston Deavers

UNOPPOSED MOTION TO FILE UNDER SEAL

Pursuant to Local Rule 5.2.1 and Paragraph 8 of the Stipulated Protective Order (ECF No. 69), Plaintiffs Root, Inc., Caret Holdings, Inc., and Root Insurance Agency, LLC (collectively, “Plaintiffs” or “Root”) move to file under seal Exhibits A-G and N attached to their forthcoming Opposition to Quantasy Defendants’ Motion to Quash Subpoenas for Financial Records and to Stay Discovery as to the Quantasy Defendants (“Opposition”). Exhibits A-G and N (the “Exhibits”), are bank account statements of Defendant Quantasy, LLC (“Quantasy” or “Defendant”) that evidence transactions with Defendants Quantasy & Associates, LLC, William Campbell, as well as William Campbell’s wife, Christine Campbell. The Exhibits show that Root is entitled to discovery of financial records for Quantasy & Associates, LLC, Quantasy, LLC, and Campbell (the “Quantasy Defendants”) and Christine Campbell to prove its claims. Because the Exhibits contain bank account numbers, balances, and personal contact information, Root seeks leave to file them under seal. Root consulted counsel for Quantasy, LLC and Quantasy, LLC does not object to the relief requested herein.

Respectfully submitted,

/s/ William D. Kloss, Jr.

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Counsel for Plaintiffs

MEMORANDUM IN SUPPORT

I. INTRODUCTION

Root will file an Opposition to Quantasy Defendants' Motion to Quash Subpoenas for Financial Records and to Stay Discovery as to the Quantasy Defendants (ECF No. 185). As detailed in the forthcoming Opposition, the Quantasy Defendants participated in a kickback scheme to defraud Root of millions of dollars, then dispersed the proceeds of the scheme between themselves and to unknown accounts. In support of its Opposition, Root will attach the following Exhibits:

- **Exhibit A** is an excerpt from Quantasy, LLC's JPMorgan Chase Bank account statement for April 1, 2022 to April 29, 2022 with the last four digits 6570;
- **Exhibit B** is an excerpt from Quantasy, LLC's City National Bank account statement dated June 30, 2022 with the last four digits 2906;
- **Exhibit C** is a list of Quantasy LLC's City National Bank outgoing wire transactions from April 3, 2020 to February 2, 2023 produced by the bank for the account with the last four digits 2906;
- **Exhibit D** is an excerpt from Quantasy, LLC's City National Bank account statement dated July 29, 2022 with the last four digits 2906;
- **Exhibit E** is an excerpt from Quantasy, LLC's JPMorgan Chase Bank account statement from July 1, 2022 to July 29, 2022 with the last four digits 6570;
- **Exhibit F** is an excerpt from Quantasy, LLC's City National Bank account statement dated August 31, 2022 with the last four digits 2906;
- **Exhibit G** is a list of Quantasy LLC's City National Bank incoming wire transactions from April 2, 2020 to January 3, 2023 produced by the bank for the account with the last four digits 2906; and
- **Exhibit N** is an excerpt from Quantasy, LLC's JPMorgan Chase Bank account

statement from July 30, 2022 to August 31, 2022 with the last four digits 6570.

As required in the Stipulated Protective Order, Root seeks leave to file these bank account statements under seal.

II. LAW AND ANALYSIS

A party moving to file documents under seal must show a compelling reason for sealing the documents and the seal must be narrowly tailored. *Shane Group, Inc. v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299, 305 (6th Cir. 2016) (noting that the strong presumption of openness of court records can be overcome when a movant provides reasons as to why the specific documents should not be disclosed to the public).

There are compelling reasons to file Quantasy, LLC's bank statements under seal. First, giving the public access to the Exhibits gives the public access to the Quantasy Defendants' full bank account numbers and balances, and bank account and wiring information of other individuals and companies with whom Quantasy, LLC had transactions. Second, it is not practical to redact the statements instead of sealing them because almost all of the pages and content of the Exhibits are sensitive information so that any minimal sections or sentences that are not redacted would contain no useful information for the public. Third, Root's Opposition, which is not filed under seal, summarizes the Exhibits and details the important transactions. That is all the information the public should know about the Exhibits because the public has no justifiable interest in accessing the specific account numbers.

III. CONCLUSION

For the foregoing reasons, Root requests leave to file under seal Exhibits A-G and N to its Opposition to Quantasy Defendants' Motion to Quash Subpoenas for Financial Records and to Stay Discovery as to the Quantasy Defendants.

Respectfully submitted,

/s/ William D. Kloss, Jr.

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served on this 5 December 2023, via CM/ECF upon all counsel of record for Quantasy & Associates, LLC, Quantasy, LLC and William Campbell, and via regular mail upon Paige McDaniel, Brinson Caleb Silver, Collateral Damage, LLC, and Eclipse Home Design, LLC as set forth below:

Paige McDaniel

5576 Alexanders Lake Rd.
Stockbridge, GA 30281

Brinson Caleb Silver

Butler County Jail
Attn. Brinson Caleb Silver
Inmate # 303850
705 Hanover Street
Hamilton, OH 45011

Collateral Damage, LLC

c/o Butler County Jail
Attn. Brinson Caleb Silver
Inmate # 303850
705 Hanover Street
Hamilton, OH 45011

Eclipse Home Design, LLC

Registered Agent: United States Corporation Agents, Inc.
651 N. Broad Street, Suite 201
Middletown, DE 19709

/s/ William D. Kloss, Jr. _____
William D. Kloss, Jr. (0040854)

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Case No. 2:23-cv-512

Judge Sarah D. Morrison

Magistrate Judge Elizabeth Preston Deavers

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION TO FILE UNDER SEAL**

This matter is before the Court on the Motion to File Under Seal filed by Plaintiffs Root, Inc., Caret Holdings, Inc., and Root Insurance Agency, LLC (collectively, "Root"). (ECF No. ____.) For good cause shown, Root's Motion to File Under Seal is **GRANTED**. Root may file Exhibits A-G and N to its Opposition to Quantasy Defendants' Motion to Quash Subpoenas for Financial Records and to Stay Discovery as to the Quantasy Defendants under seal.

IT IS SO ORDERED.

Date:

**ELIZABETH PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE**